

**FILED**

**APR 27 2020**

**CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS**

IN THE UNITED STATES OF AMERICA  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA

v.

ANITA MOODY

§  
§  
§  
§  
§

NO. 4:20CR

Judge

107  
Mazzant

**ELEMENTS OF THE OFFENSE**

You are charged in Counts One and Two of the Information with violations of 18 U.S.C. §1349, Conspiracy to Commit Bank Fraud, and 18 U.S.C §844(f)(1), Explosive Material-Malicious Damage to Federal Property (Arson). The essential elements which must be proved beyond a reasonable doubt in order to establish a violation of each of those sections are:

**Count One**

1. That the defendant and one or more persons, in some way or manner, agreed to try to accomplish a common and unlawful plan to commit the crime of bank fraud as charged in the information;

2. The defendant knew the unlawful purpose of the plan and willfully joined in it.

The elements of bank fraud are as follows:

a. the defendant knowingly executed a scheme or artifice to defraud Enloe State Bank by means of material false or fraudulent pretenses, representations or promises as detailed in Count One of the information.

b. That the defendant did so with the intent to deceive Enloe State Bank and obtain Enloe State Bank property.

3. That Enloe State Bank was then insured by the Federal Deposit Insurance Corporation.

**Count Two**

1. The defendant maliciously damaged, destroyed, or attempted to damage or destroy,
2. A building, or other personal or real property,
3. By means of fire or an explosive
4. In whole or in part owned or possessed by, or leased to any institution or organization receiving Federal financial assistance.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was filed via electronic filing to defense counsel on April 2, 2020.

  
MAUREEN SMITH